

SECRETARY OF STATE[721]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 17A.3 and 9B.27, the Secretary of State hereby gives Notice of Intended Action to amend Chapter 43, “Notarial Acts,” Iowa Administrative Code.

The proposed amendment provides that when documents are filed using the Electronic Document Management System (EDMS) administered by the Iowa Judicial Branch, the documents are deemed in compliance with the performance of notarial acts on electronic records under Iowa Code chapter 9B.

Any interested person may make written comments on the proposed amendment on or before November 5, 2013. Written comments should be directed to Charlie Smithson, Legal Counsel, Office of the Secretary of State, First Floor, Lucas State Office Building, Des Moines, Iowa 50319. Comments may be sent by fax to (515)242-5953 or by e-mail to Charlie.Smithson@sos.iowa.gov.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code section 9B.27.

The following amendment is proposed.

Adopt the following new rule 721—43.5(9B):

721—43.5(9B) Performance of notarial act on electronic record. A notarized document is deemed to be in compliance with the requirements for a notarial act on an electronic record under Iowa Code chapter 9B when the document is submitted and accepted on the electronic document management system (EDMS) administered by the Iowa judicial branch.

This rule is intended to implement Iowa Code section 9B.27.